

**PUBLIC SAFETY DEPARTMENT[661]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of 2017 Iowa Acts, Senate File 489, the State Fire Marshal hereby gives Notice of Intended Action to adopt new Chapter 265, “Consumer Fireworks Sales Licensing and Safety Standards,” Iowa Administrative Code.

2017 Iowa Acts, Senate File 489, relating to the purchase, use, and regulation of consumer and display fireworks, was enacted by the Iowa General Assembly during its regular session this year. The legislation requires the State Fire Marshal to promulgate administrative rules for the regulation of the storage, transportation, handling, and use of fireworks and for the sale of fireworks and the licensing of fireworks retailers and registration of wholesalers. The legislation also authorizes the licensing fees that are collected to be used to pay for the costs of administration and enforcement of the legislation and also establishes a Local Fire Protection and Emergency Medical Service Providers Grant Program to provide fireworks safety education and to purchase equipment related to the sale and use of consumer fireworks.

Any person may comment on the proposed new chapter by e-mail at [admrule@dps.state.ia.us](mailto:admrule@dps.state.ia.us); or by mail to Rules Coordinator, Iowa Department of Public Safety, Oran Pape State Office Building, 215 East 7th Street, Des Moines, Iowa 50319. Comments must be received by 4:30 p.m. on September 8, 2017.

A public hearing on the proposed chapter will be held on Friday, September 8, 2017, at 10 a.m. in the Public Conference Room (Room 125), Oran Pape State Office Building, 215 East 7th Street, Des Moines, Iowa. Persons may present their comments orally or in writing, or both, at the public hearing.

The fiscal impact for the licensing and inspections is expected to be less than \$100,000, which includes the costs of administering the licensing program and the costs associated with inspections and enforcement of the laws and regulations.

Pursuant to the provisions of rule 661—10.222(17A), the State Fire Marshal does not have authority to waive requirements established by statute.

These rules were also Adopted and Filed Emergency and are published herein as **ARC 3124C**. The content of that submission is incorporated by reference.

It is expected that there will be a positive impact on jobs and the economy, as there will be new opportunities for persons to be employed in the sale of fireworks. There will be a positive impact on the state economy from these new jobs and new business opportunities resulting from the sale of consumer fireworks.

These rules are intended to implement 2017 Iowa Acts, Senate File 489, sections 3 and 4.